

1 UNITED STATES DISTRICT COURT  
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3 DISTRICT OF NEVADA  
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5 KEITON SMITH,

Case No. 2:22-cv-00872-CDS-EJY

6 Plaintiff,  
7 v.  
8

9 **ORDER**

10 NDOC, *et al.*,

11 Defendants.  
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13 Pending before the Court is Plaintiff's Motion to Resume Case. ECF No. 128. The Motion  
14 advises Plaintiff is ready to commence litigating this matter and tells the Court about an incident  
15 that recently occurred at the Northern Nevada Correctional Center ("NNCC"). *Id.*

16 First, this case is in active litigation. Thus, Plaintiff's request to resume is unnecessary.  
17 However, there is no applicable scheduling order. The Court provides one below. With respect  
18 to the event at NNCC, the Court does not supervise employees or operations at any Nevada  
19 Department of Corrections facility. Plaintiff may file a grievance if he believes he has an issue  
properly raised through that system. Plaintiff may also file a new complaint with the Court if he  
believes he has suffered a constitutional or federal law violation. Plaintiff should be mindful of  
exhausting remedies before doing so.

20 Accordingly, IT IS HEREBY ORDERED that Plaintiff's Motion to Resume Case (ECF  
21 No. 128) is DENIED as moot.

22 IT IS FURTHER ORDERED that the parties must:

23 1. complete all discovery in this matter no later than **December 20, 2024**. This means  
24 any written discovery requests (such as interrogatories or document requests) must be placed in  
25 the mail no later than **November 15, 2024**;

26 2. file dispositive motions no later than **January 20, 2025**; and, if no dispositive  
27 motions are filed, submit their joint pretrial order no later than **February 20, 2025**. If a dispositive  
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1 motion is pending on February 20, 2025, the due date for the joint pretrial order is automatically  
2 vacated and advanced to thirty (30) days after the Court issues its Order resolving such motion.

3 IT IS FURTHER ORDERED that to the extent Defendants have documents that are  
4 proportional to the needs of this case that have not been produced to Plaintiff, Defendants **must**  
5 produce such documents without waiting for a discovery request, no later than **October 7, 2024**.

6 DATED this 9th day of September, 2024.

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10 ELAYNA J. YOUCRAH  
11 UNITED STATES MAGISTRATE JUDGE  
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